

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JACK MARRONE, KAREN MARRONE, :	
both individually and in their capacity as :	
parents and guardians for :	CIVIL ACTION - LAW
VIDA MARRONE, a minor, and :	
MATTHEW MARRONE :	
Plaintiffs :	
v. :	CASE NO.: 1:CV-01-0773
	JURY TRIAL DEMANDED
ALLSTATE INSURANCE COMPANY, :	
LINDA M. EDLEMAN, FRED SCHAFER, :	
MT. GRETNNA REALTY, and :	(JUDGE KANE)
HOUSEMASTER :	
Defendants :	

**DEFENDANT HOUSEMASTER'S MOTION FOR LEAVE TO FILE BRIEF  
IN EXCESS OF PAGE LIMITATION**

Defendant HouseMaster, by its counsel, respectfully requests that the Court allow it to file its Brief in Support of Renewed Motion for Summary Judgment on Counts VIII through XI of the Amended Complaint in excess of the Court's fifteen (15) page, 5,000 word limitation and, in support thereof, sets forth the following:

1. Plaintiffs Jack Marrone, Karen Marrone, Matthew Marrone and Vida Marrone allege in this action that they purchased a home which became infested with toxic mold due to undisclosed water problems with the subject property.
2. Pursuant to this Court's April 29, 2003 Order, dispositive motions in this matter are due to this Court on or before May 16, 2003.

3. Pursuant to Local Rule 7.8 for the United States District Court for the Middle District of Pennsylvania, all pre-trial briefs filed in support of pre-trial motions may not exceed either fifteen (15) pages in length or 5,000 words.

4. This matter involves a detailed factual background along with numerous issues associated with Defendants' Motion for Summary Judgment on all four Counts of Plaintiffs' Amended Complaint alleging negligence, breach of contract, misrepresentation and violation of the Unfair Trade Practices and Consumer Protection Law, 73 P.S. 201, et seq., as well as Plaintiffs' claims for personal injury damages.

5. Pursuant to the Local Rules for the United States District Court for the Middle District of Pennsylvania, typeface on all documents must now be 14 point or larger, allowing for only 18 double-spaced lines per page.

6. In order to allow for reasonable presentation of argument addressing each of the issues raised by HouseMaster through its Motion, HouseMaster respectfully requests that the Court permit it to file its Brief in Support of its Renewed Motion for Summary Judgment in excess of the Court's fifteen (15) page/5,000 word limitation, but not to exceed forty (40) pages in length.

7. HouseMaster has sought concurrence of Plaintiffs' counsel, Gianni Floro. While Mr. Floro concurred in HouseMaster's request with regard to its original Brief in Support of summary judgment, he does not concur in this request.

8. HouseMaster has sought concurrence of Intervenor Homeside Lending's counsel, Joel Gufsky. Mr. Gufsky does not concur in this Motion.

9. HouseMaster has sought concurrence of Co-Defendants' counsel. Counsel for Defendants Linda Edelman, Fred Schaeffer and Mt. Gretna Realty concur in the Motion. Counsel for Defendant Allstate takes no position on the Motion.

WHEREFORE, Defendant HouseMaster respectfully requests that the Court allow it to file its Brief in Support of its Motion for Summary Judgment in excess of the fifteen (15) page/5,000 word limit.

Respectfully submitted,

/s/ Jennifer L. Murphy  
James J. Kutz, Esquire  
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Attorneys for Defendant HouseMaster

Date: May 14, 2003

**CERTIFICATE OF SERVICE**

AND NOW, this 14<sup>th</sup> day of May, 2003, I hereby certify that I have caused to be served a copy of foregoing document on the following by depositing a true and correct copy of the same in the U.S. Mail at Harrisburg, Pennsylvania, postage prepaid, addressed to:

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By: /s/ Jennifer L. Murphy  
Jennifer L. Murphy